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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND BRANCH

UNITED STATES OF AMERICA,	)	No. CR 12-00651 YGR
	)	
Plaintiff,	)	
	)	
v.	)	STIPULATION AND
	)	<b>ORDER TO SET CHANGE OF PLEA</b>
JESSE YANG,	)	<b>OR TRIAL SETTING DATE ON JUNE</b>
	)	<b>20, 2013 AND EXCLUSION OF TIME</b>
	)	
Defendant.	)	
	)	

The above-captioned matter is currently set on May 16, 2013 before the Court for change of plea hearing. The parties request that this Court set this matter for a change of plea hearing or trial setting on June 20, 2013 at 2:00 p.m., and that the Court exclude time under the Speedy Trial Act between May 16, 2013 and June 20, 2013. The parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice are served by granting a continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

Such continuance is required because the Court granted the parties' stipulation for a voluntary settlement conference before U.S. Magistrate Laurel Beeler, and that settlement

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conference previously scheduled for May 1, 2013 has been rescheduled to June 5, 2013. In addition, defense counsel is unavailable on June 13, 2013. This continuance will allow the reasonable time necessary for effective preparation and continuity of counsel taking into account the exercise of due diligence.

As such, the parties respectfully request that the time between May 16, 2013 and June 20, 2013 be excluded under U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: May 9, 2013

Respectfully submitted,

MELINDA HAAG  
United States Attorney

/s/  
RODNEY C. VILLAZOR  
Assistant United States Attorney


/s/  
JOYCE LEAVITT  
Attorney for Jesse Yang

### ORDER

Based on the reason provided in the stipulation of the parties above, the Court hereby FINDS that for adequate preparation of the case by all parties and continuity of counsel, and in the interest of justice, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), an exclusion of time is warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY ORDERED THAT the change of plea or trial setting is continued to June 20, 2013 at 2:00 p.m. before the Court, and time is excluded until June 20, 2013.

**IT IS SO ORDERED.**

DATED: May 9, 2013

  
YVONNE GONZALEZ ROGERS  
United States District Judge

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